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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER OF THIRD
PRELIMINARY AMENDMENT AND AMENDMENT
TO SEQUENCE LISTING UNDER 37 C.F.R. § 1.825**

Docket Number:
13101/48202

Application Number
10/732,859

Filing Date
December 9, 2003

Examiner
not yet assigned

Art Unit
1636

Invention Title
CONTROL OF GENE EXPRESSION IN EUKARYOTES

Inventor(s)
Türk et al.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited
with the United States Postal Service with sufficient postage
as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on

Date: November 10, 2005
Signature: Anthony Giaccio
Anthony Giaccio Reg. (No. 39,684)

Sir:

Transmitted herewith for entry and consideration regarding the above-identified
patent application are the following:

1. Third Preliminary Amendment and Amendment to Sequence Listing under 37 CFR § 1.825
2. Statement that the computer-readable disk and paper Sequence Listing are the same (37 CFR §1.825(b)) and statement that the Sequence Listing contains no new matter (37 CFR §1.825(a)).
3. Sequence Listing in paper form (23 pages) and computer readable form (two diskettes).
4. Replacement Sheets for Figures 5, 6, and 7 and Annotated Sheets showing changes.

Applicant believes that no fees are due. However, the Commissioner is hereby
authorized to charge any fees associated with this communication or credit any overpayment
to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. A copy of
this communication is enclosed for that purpose.

Dated: November 10, 2005

By:

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